

## REMARKS

Initially it should be noted that the Applicants thank the Examiner for the opportunities to discuss the present invention and claims in order to facilitate prosecution of the application. The Applicants also welcome and look forward to any further discussion to advance or facilitate the prosecution of the application.

The Office Action mailed June 18, 2008, considered and rejected claims 1, 2, 5, 8, 11, 14, 19-24 and 27-33. Claims 1, 2, 5, 8, 11, 14, 19-24 and 27-33 were rejected under 35 U.S.C. § 112 as failing to comply with the written description requirement. Claims 1-2, 5, 8, 11, 19-24 and 27-33 were rejected under 35 U.S.C. § 102(e) as being anticipated by *Prasad* et al. (U.S. Patent No. 6,675,152). Claim 14 was rejected under 35 U.S.C. § 103(a) as being unpatentable over *Prasad* and further in view of *Peinado* (U.S. Patent No. 7,073,063).<sup>1</sup>

By this response, claims 1-2, 5, 8, 11, 14, 20-24, 27, and 29-33 are amended and claim 28 is cancelled. Claims 1-2, 5, 8, 11, 14, 19-24, 27, and 29-33 remain pending.<sup>2</sup> Claims 1, 19, 20, and 27 are independent claims which remain at issue. Support for the amendments may be found within Specification pp. 14-18.<sup>3</sup>

As reflected in the claims, the present invention is directed generally toward embodiments for securely signing data and verifying that the data has not been altered before subsequent use by a client. Claim 1 recites, for instance, in combination with all the elements of the claim, a method for ensuring that data generated by a client has not been modified before the subsequent use of the data. The method includes the client sending data to a server which calculates the signature of the data. The client receives the computed signature and stores both the signature and the data. Before a subsequent use of the data, the client sends the data and the signature back to the server which then calculates a temporary signature. If the temporary signature matches the stored signature, then a positive indication is sent to the client and the

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<sup>1</sup> Although the prior art status of the cited art is not being challenged at this time, Applicant reserves the right to challenge the prior art status of the cited art at any appropriate time, should it arise. Accordingly, any arguments and amendments made herein should not be construed as acquiescing to any prior art status of the cited art.

<sup>2</sup> The amendments and remarks presented herein are consistent with the information presented by telephone by patent attorney Jens Jenkins (reg. no. 44,803) and attorney Thomas Bonacci.

<sup>3</sup> However, it should be noted that the present invention and claims as recited take support from the entire Specification. As such, no particular part of the Specification should be considered separately from the entirety of the Specification.

client may use the data. If the temporary signature does not match the stored signature, then a negative indication is sent to the client and the client does not use the data.

Claim 19 recites a computer program product embodiment of the method of claim 1.

Claim 20 recites a system embodiment wherein a client comprises a gaming device, memory, persistent storage, and a processor upon which is performed a method similar to that of claim 1.

Claim 27 recites a system embodiment which is recited from the perspective of the server (in contrast to the perspective of the client as in claim 20).

### **Rejections under 35 U.S.C. § 112:**

Claims 1, 2, 5, 8, 11, 14, 19-24 and 27-33 were rejected under 35 U.S.C. § 112 as failing to comply with the written description requirement.<sup>4</sup> In particular, the Office noted a lack of support for "untrusted entity" and "trusted entity" in the Specification.<sup>5</sup> The claims have now been amended and no longer recite "untrusted entity" or "trusted entity." The Applicant submits that the Specification supports the terminology and limitations now recited in the claims and respectfully requests favorable reconsideration of the claims and withdrawal of the rejections under 35 U.S.C. § 112.

### **Rejections under 35 U.S.C. § 102:**

Each of the independent claims were rejected under 35 U.S.C. § 102 as being anticipated by Prasad.<sup>6</sup> By this response, the independent claims have been amended to more particularly point out the current invention. The Applicant submits that Prasad fails to teach each and every element of the claims as now recited.

In particular, for instance, Prasad fails to teach the particular interactions between the client and server as recited in the claims and wherein data is sent to the server for the calculation of a signature and wherein the data and computer signature are sent back to the server for computation of a new signature. Prasad also fails to teach the verification that the stored signature and newly calculated signature are equal. Among other distinctions, Prasad fails to teach the server generating a temporary signature of second data related information by utilizing

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<sup>4</sup> Office Communication p. 2 (paper no. 20080607, June 18, 2008).

<sup>5</sup> Office Comm. p. 2.

<sup>6</sup> Office Comm. p. 3.

a secure signing algorithm and a key that is only known and available for use by the server. Prasad fails to teach the server comparing the temporary signature to the stored signature and sending a positive or negative result, as appropriate, to the client. Further, Prasad fails to teach the client receiving the result from the server and evaluating the result.

In consideration of the current amendments and in view of the above discussion and noted distinctions, the Applicants submit that Prasad fails to teach each and every element of claim 1 as now recited and, therefore, a rejection under 35 U.S.C. § 102 would be improper and should be withdrawn. Accordingly, the Applicants respectfully request favorable reconsideration of claim 1.

As claims 1, 19, 20, and 27 recite similar limitations, the above discussion apply also to independent claims 19, 20, and 27. Accordingly, the Applicants submit that Prasad fails to teach each and every element of claims 19, 20, and 27 as now recited and, therefore, rejections under 35 U.S.C. § 102 would be improper and should be withdrawn. Accordingly, the Applicants respectfully request favorable reconsideration of claims 19, 20, and 27.

In view of the foregoing, Applicant respectfully submits that the other rejections to the claims are now moot and do not, therefore, need to be addressed individually at this time. It will be appreciated, however, that this should not be construed as Applicant acquiescing to any of the purported teachings or assertions made in the last action regarding the cited art or the pending application, including any official notice. Instead, Applicant reserves the right to challenge any of the purported teachings or assertions made in the last action at any appropriate time in the future, should the need arise. Furthermore, to the extent that the Examiner has relied on any Official Notice, explicitly or implicitly, Applicant specifically requests that the Examiner provide references supporting the teachings officially noticed, as well as the required motivation or suggestion to combine the relied upon notice with the other art of record.

In the event that the Examiner finds remaining impediment to a prompt allowance of this application that may be clarified through a telephone interview, the Examiner is requested to contact the undersigned attorney at (801) 533-9800.

Dated this 1<sup>st</sup> day of August, 2008.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Rick D. Nydegger', with a stylized flourish at the end.

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